

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ABDUL HOWARD,

Defendants.

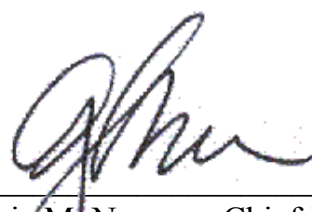
Case No.: 2:13-cr-00186-GMN-VCF

ORDER

Nearly a year after a trial in which he was found guilty of, *inter alia*, fourteen counts of interference with commerce by robbery, Defendant Abdul Howard (“Defendant”) filed a *pro se* Motion for New Trial (ECF No. 269) on May 4, 2015. On June 9, 2015, the Court ordered the Government to file a Response to the motion. (Order, ECF No. 271). The Government filed its Response (ECF No. 274) on June 26, 2015, arguing that Defendant’s motion should be denied because this matter is still pending on direct appeal before the Ninth Circuit and the motion was filed *pro se* despite the fact that Defendant is represented by appellate counsel. *See* Nev. LR IA 10-6(a) (“A party who has appeared by attorney cannot while so represented appear or act in the case.”); Fed. R. Crim. P. 33(b)(1) (“If an appeal is pending, the court may not grant a motion for a new trial until the appellate court remands the case.”). Having now reviewed the filings of the parties, the Court denies Defendant’s motion for the reasons addressed by the Government in its Response.

IT IS HEREBY ORDERED that Defendant’s Motion for New Trial (ECF No. 269) is **DENIED**.

DATED this 4th day of August, 2015.


 Gloria M. Navarro, Chief Judge
 United States District Court